

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC

Plaintiff,

v.

SAMSUNG ELECTRONIC CO., LTD and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:22-CV-00422-JRG-RSP

**NOTICE OF SUPPLEMENTAL INFORMATION REGARDING
PENDING MOTION TO STAY AND RELATED
INTER PARTES REVIEW PROCEEDINGS**

The Defendants write to provide notice to the Court of recent determinations by the USPTO in *inter partes* review (“IPR”) proceedings involving Petitioners Samsung Electronics Co., Ltd. (“SEC”) and Samsung Electronics America, LLC (“SEA”) (collectively “Samsung”) and Patent Owner Headwater Research, LLC. that are relevant to Defendants’ pending Motion to Stay Pending *Inter Partes* Review (Dkt. 67).

The Patent Trial and Appeal Board instituted IPR proceedings for U.S. Patent Nos. 11,405,224 (AIA Review No. IPR2023-01157), 10,237,773 (AIA Review No. IPR2023-01226), 9,277,433 (AIA Review No. IPR2023-01250), 9,521,578 (AIA Review No. IPR2023-01337), 9,137,701 (AIA Review No. IPR2023-01336), and 9,609,544 (AIA Review No. IPR2023-01360).

The remaining IPR proceedings referenced in the Motion to Stay were denied institution. Samsung is preparing to seek panel rehearing or Director Review of such denials related to U.S. Patent Nos. 9,143,976 (AIA Review No. IPR2023-01253), 9,271,184 (AIA Review Nos. IPR2023-01361 and IPR2023-01362), and 9,277,445 (AIA Review No. IPR2023-01462).

The time to seek review or rehearing or Director Review for some of the other institution decisions has not yet elapsed (’976 patent on April 22nd; ’445/’184 patents on April 29th). The Defendants will apprise the Court of any additional relevant developments.

Dated: April 10, 2024

Respectfully submitted,

By: /s/ Thad C. Kodish
Ruffin B. Cordell
TX Bar No. 04820550
Michael J. McKeon
DC Bar No. 459780
mckeon@fr.com
Jared Hartzman (*pro hac vice*)
DC Bar No. 1034255
hartzman@fr.com
Joshua Carrigan (*pro hac vice*)
VA Bar No. 96911
carrigan@fr.com
FISH & RICHARDSON P.C.
1000 Maine Avenue, SW, Ste 1000
Washington, D.C. 20024
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

Thad C. Kodish
GA Bar No. 427603
tkodish@fr.com
Benjamin K. Thompson
GA Bar No. 633211
bthompson@fr.com
Nicholas A. Gallo (*pro hac vice*)
GA Bar No. 546590
gallo@fr.com
Steffen Lake (*pro hac vice*)
GA Bar No. 512272
lake@fr.com
Sara Fish
sfish@fr.com
GA Bar No. 873853
Noah C. Graubart
GA Bar No. 141862
graubart@fr.com
FISH & RICHARDSON P.C.
1180 Peachtree St. NE, Fl. 21
Atlanta, GA 30309
Telephone: (404) 892-5005
Facsimile: (404) 892-5002

Leonard E. Davis
TX Bar No. 05521600

ldavid@fr.com
Andria Rae Crisler
TX Bar No. 24093792
crisler@fr.com
Thomas H. Reger II
Texas Bar No. 24032992
reger@fr.com
FISH & RICHARDSON P.C.
1717 Main Street, Suite 5000
Dallas, TX 75201
Telephone: (214)747-5070
Facsimile: (214) 747-2091

John-Paul R. Fryckman (*pro hac vice*)
CA Bar No. 317591
FISH & RICHARDSON P.C.
12860 El Camino Real, Ste. 400
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

Melissa R. Smith
State Bar No. 24001351
Melissa@gillamsmithlaw.com
Harry L. Gillam, Jr.
State Bar No. 07921800
gil@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Andrew Thompson ("Tom") Gorham
State Bar No. 24012715
tom@gillamsmithlaw.com
GILLAM & SMITH, LLP
102 N. College, Ste. 800
Tyler, Texas 75702
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Grant Schmidt
Texas Bar No. 24084579
gschmidt@hilgersgraben.com
Jon Hyland

jhyland@hilgersgraben.com
Texas Bar No. 24046131
Theodore Kwong
tkwong@hilgersgraben.com
Texas Bar No. 4087871
HILGERS GRABEN PLLC
7859 Walnut Hill Lane, Suite 335
Dallas, Texas 75230
Telephone: 469-751-2819

*Attorneys for Defendants Samsung
Electronic Co., LTD and Samsung
Electronics America, LLC*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on April 10, 2024. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Thad C. Kodish

Thad C. Kodish